

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

APPEAL NO.708 OF 2006
IN
NOTICE OF MOTION NO.3035 OF 2006
IN
SUIT NO.2568 OF 2006

Meena Shamdas Gurani	.. Appellant
v/s.	
Mukta Naresh Bhargava and others	.. Respondents

Mr. Y.S. Jahagirdar, senior counsel with Mr. V.S. Kapse i/by M/s. K.R. Parekh & Co. for the appellant.

Mr. D.D. Madon, senior counsel with Mr. Hemand Sethi i/by M/s. Hemant Sethi & Co. for the respondent No.14.

Dr. Virendra Tulzapurkar, senior counsel with Mr. S.S. Joshi for the respondent No.5.

CORAM : R.M.LODHA &
S.A.BOBDE, JJ.

DATED : 10TH OCTOBER, 2006.

P.C.

We heard Mr. Y.S. Jahagirdar, the senior counsel for the appellant. We also perused the order dated 8th September, 2006 impugned in the appeal.

2. By the impugned order, the learned motion Judge declined to grant any ad-interim order in favour of the appellant (plaintiff). Prima facie consideration of the matter by the learned

motion Judge cannot be said to suffer from any factual or legal flaw.

3. No case for interference in the impugned order is made out. It is, however, made clear that the development, if any, made on the subject property shall be subject to the final decision in the suit.

(R.M.LODHA, J.)

(S.A.BOBDE, J.)